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Sent time: 09/03/2014 03:45:26 PM
To: Hanady Kader <Kader.Hanady@epa.gov>; Xiangyu Chu <Chu.Xiangyu@epa.gov>; CherylB Williams <Williams.CherylB@epa.gov>; Downey, Scott
Subject: EPA settles with Flint Hills Resources - RCRA Penalty Draft 2 08-29-14 svg edits.docx
Attachments: EPA settles with Flint Hills Resources - RCRA Penalty Draft 2 08-29-14 svg edits.docx

Here are my suggestions on the Flint Hills CAFO press release.

I just got the signed CAFO back from the respondent today so will put this version in the routing package and send it on its way.

Hanady, I'm around if you want to discuss any of my suggestions. Thanks!

Contact: Hanady Kader/EPA PIO/206-553-0454 kader.hanady@epa.gov

EPA settles with Flint Hills Resources Alaska, LLC, for hazardous waste violations at its North Pole Facility

(Seattle, Washington – September X, 2014) The U.S. Environmental Protection Agency has reached a settlement with the Flint Hills Refinery in North Pole, Alaska, for alleged mishandling of hazardous waste generated during groundwater cleanup actions at the refinery.

On June 19, 2013, Flint Hills Refining (FHR) conducted groundwater cleanup activities at its North Pole Refinery (Facility) that generated spent groundwater pre-filters containing iron sulfide. The spent groundwater pre-filters were disposed of in an exposed, uncovered “roll off” container (dumpster) where they soon self-ignited, causing two container fires. The fires required local fire department assistance to extinguish. The settlement includes a civil penalty of \$80,000.

According to Scott Downey, manager of EPA’s Air & Hazardous Waste Compliance Unit in Seattle, waste generators are required to officially determine whether or not their waste is hazardous at the time of generation, then label it clearly and store it properly.

“In this case, two completely avoidable dumpster fires occurred because the facility’s hazardous waste was not properly identified and managed,” said EPA’s Downey. “Worker and responder safety can be jeopardized when ignitable and reactive wastes are not managed and stored in strict accordance with the law.”

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In case documents, EPA alleges:

- FHR violated RCRA by failing to determine that the spent groundwater pre-filters were an ignitable and reactive hazardous waste, and then failed to manage the materials accordingly.
- FHR mishandled the filter waste by placing it in an uncovered roll off container that was not properly labeled “Hazardous Waste” and dated for storage (as required by federal law).
- FHR hazardous waste was not managed to minimize the possibility of a fire, explosion, or other mishap due to this hazardous wastes unstable nature.

Commented [GS2]: When stored in containers, haz wastes must be in containers that are “closed” at all times except when waste is being added or removed.

The Resource Conservation and Recovery Act (RCRA), a federal law written to provide for “cradle to grave” management of hazardous wastes by encouraging a reduction in their generation and preventing releases of hazardous waste to the environment, requires that hazardous waste generators keep such waste in closed labeled containers that track storage time.

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Deleted: and protect people from injury

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For more about EPA's work in enforcing the Resource Conservation and Recovery Act, please visit: <http://www2.epa.gov/enforcement/waste-chemical-and-cleanup-enforcement>